

**UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

<b>OTIS MAYS,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. CIV-22-824-G</b>
	)	
<b>BUREAU OF PRISONS et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**ORDER**

Plaintiff Otis Mays, a federal prisoner appearing pro se, filed a Complaint (Doc. No. 1) alleging deprivations of his constitutional rights against multiple defendants. In accordance with 28 U.S.C. § 636(b)(1), the matter was referred to Magistrate Judge Gary M. Purcell for initial proceedings. On September 21, 2022, Judge Purcell granted Plaintiff's application for leave to proceed *in forma pauperis* and ordered Plaintiff to submit an initial partial filing fee of \$16.99. *See* Order of Sept. 21, 2022 (Doc. No. 6) at 1-3.

On March 27, 2023, Judge Purcell entered a Report and Recommendation (Doc. No. 19), recommending that this matter be dismissed due to Plaintiff's failure to comply with the Court's order to pay the initial filing fee. *See id.* at 1-4.

Shortly thereafter, Plaintiff submitted an initial filing fee payment of \$17.00 to the Court. *See* Doc. No. 20. Accordingly, the Court finds that Plaintiff has made a good-faith attempt to comply with the Court's order regarding the filing fee. The Court therefore will


re-refer this action to allow Plaintiff to otherwise proceed with this matter in accordance with applicable Federal and Local Civil Rules.

### CONCLUSION

Accordingly, the reasoning of the Report and Recommendation (Doc. No. 19) is ADOPTED. The Court declines to dismiss this matter at this time.

This matter shall be referred to the appropriate magistrate judge as per the initial order of referral.

IT IS SO ORDERED this 2nd day of January, 2024.

  
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CHARLES B. GOODWIN  
United States District Judge